



Security Council

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Letter dated 22 September 2009 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to request that the attached Philippine position paper on nuclear non-proliferation and nuclear disarmament, submitted in connection with the Security Council summit on nuclear non-proliferation and nuclear disarmament on 24 September 2009, be circulated as a document of the Security Council (see annex).

(Signed) Hilario G. Davide, Jr.
Permanent Representative



Annex to the letter dated 22 September 2009 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

Position paper presented by the Republic of the Philippines to the United Nations Security Council summit on nuclear non-proliferation and nuclear disarmament

24 September 2009

The Philippines commends the presidency of the United States of the Security Council for initiating the holding of the Security Council summit on nuclear non-proliferation and nuclear disarmament. The Philippines very respectfully submits that one of the keys to the promotion of international peace and security is the elimination and prevention of the spread of nuclear weapons. Towards this end it will neither tire nor cease in its efforts to achieve success as the President-elect of the 2010 NPT Review Conference and as Vice-Chair of the First Committee (Disarmament and International Security) of the sixty-fourth session of the General Assembly.

The end of the Cold War should have brought with it the dismantling and elimination of all nuclear weapons. Instead, they continue to exist, creating political tensions and fears that raise the possibility of miscalculation among States and, worse yet, the threat of nuclear terrorism from non-State actors.

The world was spared from a nuclear exchange 47 years ago, or in 1962, when world leaders realized there can be no victory in a nuclear war. The Security Council, and the United Nations as a whole, played a significant part in helping diffuse the situation, which could have spiralled out of control and led to a nuclear holocaust.

Once again, the world or humanity itself calls upon the Security Council to act in concert and agree on measures to promote and maintain international peace and security by giving clear direction and guidance on ensuring nuclear non-proliferation and nuclear disarmament, bearing in mind the current challenges, which include non-conventional threats from non-State actors. It is only fitting, proper and wise that the Security Council take action, since five countries that possess nuclear weapons are members of the Council. It must, however, always factor in the views and concerns of the rest of the international community in the decision-making process since the issue involves all Member States.

The Philippines, as a matter of national policy, renounces nuclear weapons. Article II, section 8 of the Philippine Constitution states: "The Philippines, consistent with the national interest, adopts and pursues a policy of freedom from nuclear weapons in its territory." The Philippines is a State party to the Treaty on the Non-proliferation of Nuclear Weapons (NPT), the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment. Furthermore, the Philippines is a signatory to the Convention for the Suppression of Acts of Nuclear Terrorism.

The Philippines maintains that the NPT is the cornerstone of global nuclear non-proliferation and disarmament and is central to the promotion and maintenance of international peace and security. Thus, it complies fully with all its obligations

under the NPT; gives equal importance to all three pillars of the Treaty, namely, nuclear non-proliferation, nuclear disarmament, and peaceful uses of nuclear energy; and believes that there can never be progress on one pillar without progress on the others. The Philippines hopes that all other States Parties to the NPT would do the same.

The Philippines calls upon States not yet parties to the NPT to accede to it in order to achieve and promote the universality of the Treaty. The Philippines gives great importance to nuclear disarmament and calls upon the five Nuclear-Weapon States (NWS) to lead by example and dismantle, in an irreversible and verifiable manner, their nuclear weapons. It commends the United States and the Russian Federation for agreeing to renew the Strategic Arms Reduction Treaty, which is due to expire by December of 2009. More actions in this regard from the Nuclear-Weapon States (NWS) are needed.

The Philippines believes that the total elimination of nuclear weapons is the only guarantee against the use or threat of use of nuclear weapons. Thus, in the meantime, it supports calls for the conclusion of a universal, unconditional, and legally binding instrument on security assurances to non-nuclear-weapon States.

The Philippines calls on all States Parties to the NPT to provide regular reports within the framework of the Strengthened Review Process for the NPT, on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-proliferation and Disarmament", and wishes to stress the advisory opinion of the International Court of Justice of 8 July 1996.

The Philippines believes that States with nuclear weapons should de-emphasize their importance in their defence policies, and make plans for the eventual elimination of nuclear arsenals.

The Philippines recognizes the importance of the International Atomic Energy Agency (IAEA) Safeguards Agreements, together with that of the Additional Protocol and their contribution to the promotion of nuclear non-proliferation.

The Philippines believes that it is the inalienable right of States to pursue peaceful uses of nuclear energy without discrimination. It commends States that have put forth proposals for a multilateral approach to the nuclear fuel cycle, but holds the view that any such proposal should not affect the inalienable right of a State to research, develop, and use nuclear energy for peaceful means.

The Philippines places much emphasis on the need to respect nuclear-weapon-free zones, such as those created by the Treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba, the Central Asian nuclear weapon free zone treaty, and Mongolia's nuclear-weapon-free zones status. It further supports the creation of a Middle East Nuclear Weapons Free Zone. As regards the Bangkok Treaty, the Philippines calls upon all States with nuclear weapons to accede to the Protocol of the Treaty.

The Philippines recognizes the importance of the entry into force of the CTBT and calls upon the remaining nine (9) Annex 2 States whose signatures and ratifications are required to take the necessary action for its entry into force. The Philippines also calls upon its Association of Southeast Asian Nations (ASEAN) neighbours who are not included in Annex 2, but have yet to ratify the CTBT, to do so as well.

The Philippines supports the International Monitoring System of the CTBTO Preparatory Commission by being host to three of its monitoring stations.

The Philippines places much importance on the creation of a Treaty banning the production of fissile material for nuclear weapons and hopes that the Conference on Disarmament (CD) can negotiate such a Treaty soon. It also believes that the CD is the appropriate venue for the negotiation of a Nuclear Weapons Convention.

The Philippines is cognizant of the need to reduce the risk of nuclear terrorism and, therefore, urges all States with nuclear arsenals to take utmost care in securing such weapons from loss, such as through theft.

The Philippines believes in the importance of medical research being conducted with the use of highly enriched uranium, but understands the need to keep as secure as possible such material, which can be used for the creation of nuclear weapons. Thus, it supports calls for the conversion of research reactors and radioisotope production processes to use low enriched uranium.

The Philippines is greatly encouraged to note the renewed focus and interest being given by the global community to address nuclear non-proliferation and nuclear disarmament. This new shift demonstrates flexibility and openness to arrive at a meaningful result. The Philippines submits that what is needed is a strong political will and utmost transparency and good faith. States have heard the calls from all sectors of society. It is the duty of those who are in a position to give direction and determine policies, those who are in this very Council chamber, to heed these calls and act upon them with determination and resolve. The present positive climate in the area of nuclear non-proliferation and nuclear disarmament must be sustained to help ensure the success of the 2010 NPT Review Conference. We must, therefore, take full advantage of this positive climate to bring to a successful conclusion the upcoming meeting through a spirit of compromise and flexibility and a genuine willingness to act on behalf of what is best for all: **the complete and total elimination of nuclear weapons.**

In view of the foregoing, the Philippines hopes that the summit on nuclear non-proliferation and nuclear disarmament of the Security Council will result in identifying concrete actions to promote nuclear non-proliferation and nuclear disarmament, which, in turn, can be translated into agreements at the upcoming 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.